

REMARKS

This application has been carefully reviewed in light of the Office Action dated September 23, 2004. Claims 17 to 31 are in the application, of which Claims 17, 18, 20, 21, 23, 24, 26, 28 and 30 are all independent. Reconsideration and further examination are respectfully requested.

A new title has been selected.

Claims 17 to 31 were rejected for obviousness-type double patenting over issued Claims 1 to 4 of parent U.S. Patent 6,624,902, which issued on Applicant's parent Application No. 09/172262 (hereinafter "the parent '262 application"). The rejection is respectfully traversed under 35 U.S.C. § 121, which specifically prohibits such a rejection in the circumstances here. In particular, the present divisional application was filed in direct response to a Restriction Requirement dated December 24, 2002 in the parent '262 application, pursuant to which Claims 17 to 25 were not examined in the parent '262 application. Section 121 of the patent statute prohibits a rejection under these circumstances, and its withdrawal is therefore respectfully requested.

Claims 17 to 31 were rejected under 35 U.S.C. § 102(e) over U.S. Patent 6,389,327 (Thiel). It is respectfully noted that Thiel's earliest effective date is later than the filing date of Applicant's Japanese priority application. A comparison of the drawings in the Japanese priority application should suffice to establish that Applicant is entitled to his Japanese priority date, and withdrawal of the rejection over Thiel on this basis alone is respectfully requested.

Moreover, with respect to independent Claims 17, 20 and 23, those claims have been amended so as to emphasize that, in dependence on a determination of whether a designated paper type is or is not an envelope, a command is issued for printing an image along a paper feed direction if the designated type of paper is determined not to be an envelope, whereas a command is issued for printing a reverse image along the paper feed direction when the designated paper type is determined to be an envelope. For its part, Thiel discloses to print an address on an envelope, thereafter rotate the envelope by 180°, and finally print a franking on the envelope. As such, Thiel is different from the invention of Claims 17, 20 and 23, inasmuch as Thiel does not issue a command for printing an image along a paper feed direction if a designated type of paper is determined not to be an envelope, and issuing a command for printing a reverse image along the paper feed direction when the designated type of paper is determined to be an envelope.

With respect to independent Claims 18, 21 and 24, amendments have been made to specify a display of information which shows that paper is fed from the lower end of an envelope based on a determination that the designated type of paper is an envelope. Although Thiel shows a display of information, the information that Thiel displays is not information that indicates that paper is fed from the lower end of an envelope. Allowance of Claims 18, 21 and 24 is therefore respectfully requested.

Finally, with respect to the rejection of Claims 26 to 31, page 5 of the Office Action stated that Claims 26 to 31 "are covered by the limitations of Claims 18 to 19 above". Applicants respectfully submit that the language of Claims 26 to 31 is actually quite different from that of Claims 18 and 19, such that it cannot be fairly stated, as was

otherwise said in the Office Action, that Claims 26 to 31 are "covered by the limitations" of Claims 18 and 19. For example, the following table provides a side-by-side comparison of the unamended language of Claim 18 with the pending language of Claim 26 (which has not been amended):

18. A printing control unit comprising:

a determining unit for determining whether a designated type of paper is an envelope; and

a display unit for displaying information for setting the designated type of paper in a reverse orientation when said determining unit determines that the designated type of paper is an envelope.

26. An information processing apparatus comprising:

a determining unit for determining whether a designated paper should be printed in a reverse feeding direction; and

a display unit for displaying a screen indicating a way of setting the paper when said determining unit determines that the designated paper should be printed in the reverse feeding direction.

As clearly seen in the above table, Claim 26 calls for a determination of whether designated paper should be printed in a reverse feeding direction, whereas unamended Claim 18 calls for a determination of whether a designated type of paper is an envelope. Likewise, Claim 26 calls for a display screen indicating a way of setting the paper when there is a determination that the designated paper should be printed in the reverse feeding direction, whereas unamended Claim 18 calls for a display of information for setting the designated type of paper in a reverse orientation when there is a determination that the designated type of paper is an envelope.

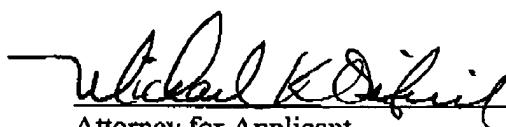
The language of the two claims is therefore quite different, such that it is technologically and legally inaccurate that Claims 26 to 31 are "covered by the limitations" of Claims 18 and 19. Withdrawal of the rejection is therefore respectfully requested.

An Information Disclosure Statement accompanies this Amendment, so as to cite two documents from a corresponding Japanese application. Consideration of the cited documents is respectfully requested.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicant's undersigned attorney may be reached in our Costa Mesa, California, office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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